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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/599,345	05/07/2009	Jeroen Jonkers	DE 040085	5708
24737	7590	06/17/2011		
PHILIPS INTELLECTUAL PROPERTY & STANDARDS				
P.O. BOX 3001				
BRIARCLIFF MANOR, NY 10510				
EXAMINER				
IPPOLITO RAUSCH, NICOLE				
ART UNIT		PAPER NUMBER		
2881				
NOTIFICATION DATE		DELIVERY MODE		
06/17/2011		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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# Office Action Summary

**Application No.**

10/599,345

**Applicant(s)**

JONKERS ET AL.

**Examiner**

NICOLE IPPOLITO-RAUSCH

**Art Unit**

2881

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 June 2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection. Please see below.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Silfvast et al. (U.S. Patent Number 6232613, from hereinafter "Silfvast").
4. In regards to claims 1, 7 and 13, Silfvast teaches a lithographic device and method (column 1 lines 5-20) with a means of removing contaminant particles produced by a radiation source (abstract) produced by a radiation source during generation of short-wave radiation having a wavelength of up to approximately 20nm (column 1 lines 29-35) comprising guiding a first gas at a first side of a particle trapped arranged in a wall of a chamber between the radiation source and the particle trap (FIG. 4B, gas labeled "G", radiation labeled "E") introducing a second gas into the chamber at a second side of the particle trap, wherein the first side is different from the second side (FIG. 4B, gas labeled "G", radiation labeled "E") and adjusting a pressure of the second gas to be at least high as a pressure of the first gas (columns 6-7 lines 4-16).

5. In regards to claims 2 and 8, Silfvast teaches that the adjusting act adjusts the pressure of the second gas to be higher than the pressure of the first gas (column 2 lines 16-42, column 3 lines 23-38, etc.).
6. In regards to claims 3 and 9, Silfvast teaches that the guiding act guides the first gas transversely to the propagation direction of the radiation in a channel that is at least partially laterally bounded (FIG. 4B illustrates this orientation).
7. In regards to claims 4 and 10, Silfvast teaches that the first gas comprises a noble gas having an atomic weight of at least 39 g/mol (column 6 lines 20-55).
8. In regards to claims 5 and 11, Silfvast teaches that the second gas comprises a substance that is substantially transparent for the radiation, the second gas including helium or hydrogen (column 6 lines 20-55 mentions helium).
9. In regards to claims 6 and 12, Silfvast teaches that the act of adjusting a flow velocity of the first gas and/or the second gas (columns 4-5 lines 61-15, columns 5-6 lines 61-5, etc.).
10. In regards to claims 14-15, Silfvast teaches generating radiation in a wavelength range of approximately 2-20 nm for a lithography device/microscope (column 1 lines 1-26, column 2 lines 16-20).
11. In regards to claims 16 and 18, Silfvast teaches that the act of introducing the second gas prevents the first gas from flowing through the particle trap from the first side to the second side (FIG. 4B, columns 6-7 lines 21-16, this 'uniform density' is a side-effect of the back-pressure of the gas).

12. In regards to claims 17 and 19, Silfvast teaches that the act of introducing the first gas from a first source at the first side of the particle trap, wherein the act of introducing the second gas introduced the second gas from a second source at the second side of the particle trap (FIG. 4B, columns 6-7 lines 21-16).

***Conclusion***

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NICOLE IPPOLITO-RAUSCH whose telephone number is (571)270-7449. The examiner can normally be reached on Monday through Thursday 6:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim can be reached on (571)272-2293. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/N. I./  
Examiner, Art Unit 2881

/ROBERT KIM/  
Supervisory Patent Examiner, Art Unit 2881